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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/534,693

04/14/2006

Carsten Lauber

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EXAMINER

GRAMLING, SEAN P

ART UNIT

PAPER NUMBER

2875

MAIL DATE

DELIVERY MODE

12/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/534,693	Applicant(s) LAUBER, CARSTEN	
	Examiner Sean P. Gramling	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/13/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-8** are rejected under 35 U.S.C. 102(e) as being anticipated *Chen* (US 6,619,829).

3. Regarding claim 1, *Chen* discloses a lamp comprising an incandescent lamp 13 providing normal illuminating function and an optical waveguide 20 arranged as a diffusing screen wherein light from the lamp 13 radiates through the diffusing screen (see Figures 2 and 3, and column 2, lines 15-33).

4. Regarding claim 2, the lamp further comprises at least one light-emitting diode 15 for providing ambient illumination, wherein light from the light-emitting diode is injected into the optical waveguide 20 and the light is output at a plurality of interference points 24 (see Figures 2 and 3, and column 2, lines 35-63).

5. Regarding claim 3, the lamp further comprises a further luminous device 15 below the diffusing screen 20 to provide a further illumination function in addition to the normal illuminating function 13 (see Figures 2 and 3, and column 2, lines 35-63).

6. Regarding claim 4, the diffusing screen 20 is associated with the incandescent lamp 13 with first diffusing points, and the further luminous device 15 is associated with the diffusing screen 20 by second diffusing points (see Figures 2 and 3, and column 2, lines 35-63).

7. Regarding claim 5, the lamp further comprises a reflector (bottom of the base 11) such that light diffused by the interference points is reflected back to the optical waveguide 20 (see Figures 2 and 3, and column 2, lines 29-33).

8. Regarding claim 6, the interference points 24 are formed to provide light output points in order to form a continuous light output area having essentially a constant light intensity (see column 2, lines 52-63).

9. Regarding claim 7, Applicant recites an intended use of the lamp. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations (see *Ex parte Masham*, 2 USPQ2d 1647). Examiner notes, however, that the normal light 13 and ambient lamp 15 in Chen are capable of being switched on independently of one another.

10. Regarding claim 8, Chen discloses a lamp comprising an incandescent lamp 13 for providing normal illuminating function and a disk 20 arranged as a diffusing screen for light from the lamp 13 wherein the disk emits light for the ambient illuminating function 15 by a voltage being applied (see Figures 2 and 3, and column 2, lines 15-63).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean P. Gramling whose telephone number is (571) 272-9082. The examiner can normally be reached on MONDAY-FRIDAY 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.P.G.

Sean P Gramling
Examiner
Art Unit 2875

Sandra O'Shea
Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800